

REMARKS

The Official Action mailed April 3, 2003, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to August 4, 2003. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant awaits consideration of the Information Disclosure Statement filed on March 3, 2003.

Claims 1, 5, 6, 9-11, 13, 17, 18, 21-23, 25, 29, 30, 33-35, 37, 41, 42, 45-47, 49, 53, 54, 57-59, 61, 63-65, 67-69, 71-73, 75-77, 79-81, 83-85, 88, 89, 92, 93, 96, 97, 100, 101, 104, 105, 108, 109, 113, 114, 117-119, 121, 125, 126, 129-131, 133, 135, 137, 139, 140, 142, 144, 146, 147, 151, 153, 154, 156, 160, 161, 164-166, 168, 170, 174, 175, 178-180, 182, 184, 188, 189, 192-194, 196, 198, 202, 203, 206-208 and 210 are pending in the present application, of which claims 1, 5, 6, 9-11 and 13 are independent. The independent claims have been amended to better recite the features of the present invention. Dependent claims 100, 101, 113, 114, 117-119, 121, 151, 153 and 154 have been amended to correct minor typographical errors. For the reasons set forth in detail below, all claims are believed to be in condition for allowance.

Paragraph 1 objects to the drawings under 37 CFR 1.83(a) asserting that the drawings do not show every feature of the invention specified in the claims. Specifically, the Official Action asserts that "the claimed three light emitting elements in each pixel of the claimed invention (claim 156) must be shown in drawings for proper examination" (page 2, Paper No. 6). The Applicant respectfully submits that the claimed three light emitting elements are already shown in the drawings. For example, Fig. 9 shows three light emitting elements 251d, 252d, and 253d. Please see Embodiment 2, pages 28-35 of the present specification, which describes Fig. 9, the three light emitting elements, and examples of forming the three light emitting elements in one or more pixels or pixel portions.

Further, the Official Action refers to Fig. 6 and contends that there is no direct relationship between the claimed structure and the figures provided by the Applicant. The Applicant respectfully disagrees with this contention. A signal line driver circuit 103a or 104a, an output switching circuit 103b and 104b, a first signal line SG or SR

and a second signal line EG or ER and their connections are properly shown in the figures (e.g., Figs. 1, 2A, 2B, and 6). The Applicant respectfully submits that the drawings show every feature of the present invention and request that the objections be reconsidered and withdrawn.

Paragraph 3 of the Official Action rejects claims 5, 6, 9, 10, 11, 13, 17, 18, 21-23, 25, 29, 30, 33-35, 37, 41, 42, 45-47, 49, 53, 54, 57-59, 61, 63-65, 67-69, 71-73, 75-77, 79-81, 83-85, 88, 89, 92, 93, 96, 97, 100, 101, 104, 105, 108, 109, 113, 114, 117-119, 121, 125-126, 129-131, 133, 137, 139, 140, 144, 146, 147, 151, 153, 154, 160, 161, 164-166, 168, 174, 175, 178, 180, 181, 188, 189, 192-194, 202, 203, 206-208 and 210 under 35 U.S.C. §112, second paragraph, asserting that there is no direct relationship between the claimed structure and the figures. It is noted that dependent claim 181 has been canceled.

In response, the Applicants have amended independent claims 1, 5, 6, 9-11 and 13 to clarify the structure of the present invention. These amendments are merely clarifying in nature, and should not in any way affect the scope of protection afforded the claims for infringement purposes, particularly under the Doctrine of Equivalents. The Applicant respectfully submits that independent claims 1, 5, 6, 9-11 and 13 are definite, as amended. Also, as noted above for example, Figs. 1, 2A, 2B, and 6 show a signal line driver circuit 103a or 104a, an output switching circuit 103b and 104b, a first signal line SG or SR and a second signal line EG or ER and their connections. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112 are in order and respectfully requested.

Paragraph 5 of the Official Action rejects claims 1, 135, 142, 170, 184 and 198 as obvious based on the combination of U.S. Patent No. 6,424,326 to Yamazaki et al. and U.S. Patent No. 6,445,372 to Asai. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present invention, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference

teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

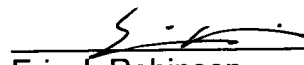
The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Yamazaki and Asai do not teach or suggest that a pixel portion is connected to the output switching circuit. The Official Action contends that Yamazaki discloses that an output switching element 130 outputs signals to the pixel elements. However, the switching element 130 itself appears to be formed in a sensor pixel portion 104 (see col. 6, lines 24-26). In order to further clarify the structure of the present invention, claim 1 has been amended to recite that a pixel portion is connected to the output switching circuit. Yamazaki does not teach or suggest this feature. Asai does not cure the deficiencies in Yamazaki. The Official Action relies on Asai to allegedly teach a timing signal controller directly applying timing signals to driving circuit blocks. Yamazaki and Asai, either alone or in combination, do not teach or suggest that a pixel portion is connected to the output switching circuit.

Since Yamazaki and Asai do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are in order and respectfully requested.

The Applicants note that dependent claims 156 and 196 have not been formally rejected. It is respectfully submitted that claims 156 and 196 are allowable.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,


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